

**REMARKS**

Claims 1-22 are now pending in this application and are rejected. Claim 15 is cancelled herein. Claims 1-5, 7-12, 14, 17-20 and 22 are amended herein to clarify the invention and to address matters of form unrelated to substantive patentability issues.

Since the present application is a national stage application of a PCT application, the priority document was filed with the International Bureau. Applicants respectfully request that the Examiner acknowledge the claim for foreign priority and the receipt of a copy of the certified priority document from the International Bureau.

Claims 1-16 are rejected under 35 U.S.C. §112, second paragraph as being indefinite due to the lack of antecedent basis for the limitation “the display” recited in claim 8. Applicant presumes that there is a typo in the rejection as the basis of the rejection does not relate to claims 1-7. Applicant has amended claim 8 to rectify the lack of antecedent basis for “the display” limitation.

Claims 1, 3-5, 8, 10-12 and 15-22 are rejected under 35 U.S.C. §102(b) as being anticipated by Opera (Opera, Version 6.0, Copyright © 1995-2001 Opera Software ASA).

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Applicant avers that the claims as amended overcome the rejection. The claims have been amended to clarify that the buttons as recited in the claims are buttons on a remote control. Opera is a browser program that runs on a personal computer and the program interacts with a user based on the generic functionality of user input devices such as a keyboard and mouse. The Examiner has taken official notice that a keyboard and mouse are known in the art for purposes of operating a browser. However, the Examiner has failed to demonstrate that it is known in the art to use such devices in the manner recited in the claims. In particular, it has not been demonstrated that it is known to have a plurality of buttons on a computer input device wherein each button corresponds to a window displayed on a display. Moreover, it has not been demonstrated that the buttons would perform the functions with reference to the windows as recited in the claims. Thus, at least this distinguishing characteristic is not found in the cited art. Therefore, the claims cannot be anticipated because not every element as set forth in the claims is found, either expressly or inherently described, in the cited reference.

Claims 2 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over Opera in view of Shinichiro (JP2000298543). More specifically, the Office Action states that Opera teaches all the elements recited in the claims except for the switching between frames in markup language document, which is disclosed in Shinichiro. In other words, the rejection characterizes the structure recited in the claims as simply the combining of prior art elements according to known methods to yield predictable results.

MPEP §2143 states that when rejecting a claim based on the rationale that the recited structure is simply “combining prior art elements according to known methods to yield predictable results” there must be a “finding that the prior art included each element.” In addition, there must be a finding that “each element merely performs the same function as it does separately.”

Applicant avers that claims 2 and 9 as amended overcome the rejection. Furthermore, applicant also avers that there is no disclosure in either reference from which to derive combining the references. The claims have been amended to clarify that the buttons recited in the claims are on a remote control. As discussed above, Opera is a browser program that runs on a personal computer and the program interacts with a user based on the generic functionality of user input devices such as a keyboard and mouse. Similarly, Shinichiro discloses a browser program that runs

on a personal computer and the program interacts with a user based on the generic functionality of user input devices such as a keyboard and mouse. Moreover, the frame switching key (63) is displayed on the computer screen and not part of a remote control. *See* Shinchiro Fig. 5(A). Furthermore, there is only one key (63) disclosed in Shinchiro and not a plurality of keys wherein each of the recited plurality of keys corresponds to one of the windows.

Thus, in regard to claims 2 and 9, even in light of Shinchiro, it has not been demonstrated that the cited art includes a keyboard or mouse with the functionality of the remote control recited in the claims that has a plurality of buttons wherein each of the plurality of buttons corresponds to a window displayed on a display, in particular, where the plurality of buttons perform the functions recited in the claims. Therefore, the claims cannot be rendered obvious because not every element as set forth in the claims is found, either expressly or inherently described, in the cited references.

Claims 6 and 13 are rejected under 35 U.S.C. §103(a) as being unpatentable over Opera.

Applicant respectfully traverses the rejection of claims 6 and 13. As discussed above regarding the anticipation rejection of claims 1, 3-5, 8, 10-12 and 15-22, the

Examiner has failed to demonstrate that the cited art includes a keyboard or mouse with the functionality of the remote control recited in the claims. In particular, it has not been demonstrated that the cited art includes a plurality of buttons on a computer input device wherein each button corresponds to a window displayed on a display. Moreover, it has not been demonstrated that the buttons would perform the functions with reference to the windows as recited in the claims. Thus, at least this distinguishing characteristic is not found in the cited art. Therefore, the claims cannot be rendered obvious because not every element as set forth in the claims is found, either expressly or inherently described, in the cited reference.

Claims 7 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Opera in view of Ryuhei (JP2001086423).

Applicant avers that claims 7 and 14 as amended overcome the rejection. Furthermore, Applicant also avers that there is no disclosure in either reference from which to derive combining the references. Ryuhei does not disclose the aspect of overlapping and displaying in a display area a number of windows corresponding to a plurality of buttons on a remote control as recited in the claims. Moreover, as discussed above, Opera does not disclose a remote control, as recited in the claims, that has a plurality of buttons wherein each of the plurality of buttons corresponds to a window displayed on a display. Therefore, the claims cannot be rendered obvious

because not every element as set forth in the claims is found, either expressly or inherently described, in the cited references.

No fee is believed due. If there is any fee due the USPTO is hereby authorized to charge such fee to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited.

Respectfully submitted,  
JORDAN AND HAMBURG LLP

By C. Bruce Hamburg by M. Zev Levoritz  
C. Bruce Hamburg Reg. No. 50,151  
Reg. No. 22,389  
Attorney for Applicants  
and,

By M. Zev Levoritz  
M. Zev Levoritz  
Reg. No. 50,151  
Attorney for Applicants

Jordan and Hamburg LLP  
122 East 42nd Street  
New York, New York 10168  
(212) 986-2340